

(2) **PURPOSE.**—The purpose of the Board is to convene outside experts to advise the President on development of the China Strategy.

(3) **DUTIES.**—

(A) **REVIEW.**—The Board shall review the current national security strategy of the United States with respect to the People's Republic of China, including assumptions, capabilities, strategy, and end-state or end-states.

(B) **ASSESSMENT AND RECOMMENDATIONS.**—The Board shall analyze the United States national security strategy with respect to the People's Republic of China, including challenging its assumptions and approach, and make recommendations to the President for the China Strategy.

(C) **CLASSIFIED BRIEFING.**—Not later than 30 days after the date on which the President submits the China Strategy to Congress under subsection (b)(2), the Board shall provide to Congress a classified briefing on its review, assessment, and recommendations.

(4) **COMPOSITION.**—

(A) **RECOMMENDATIONS.**—Not later than 30 days after the date on which the President first submits to Congress a national security strategy under section 108 of the National Security Act of 1947 (50 U.S.C. 3043) after the date of the enactment of this Act, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each provide to the President a list of at not fewer than 10 candidates for membership on the Board, at least 5 of whom shall be individuals in the private sector and 5 of whom shall be individuals in academia or employed by a nonprofit research institution.

(B) **MEMBERSHIP.**—The Board shall be composed of 9 members appointed by the President as follows:

(i) The National Security Advisor or such other designee as the President considers appropriate, such as the Asia Coordinator from the National Security Council.

(ii) Four shall be selected from among individuals in the private sector.

(iii) Four shall be selected from among individuals in academia or employed by a nonprofit research institution.

(iv) Two members should be selected from among individuals included in the list submitted by the majority leader of the Senate under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a nonprofit research institution.

(v) Two members should be selected from among individuals included in the list submitted by the minority leader of the Senate under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a nonprofit research institution.

(vi) Two members should be selected from among individuals included in the list submitted by the Speaker of the House of Representatives under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a nonprofit research institution.

(vii) Two members should be selected from among individuals included in the list submitted by the minority leader of the House of Representatives under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a nonprofit research institution.

(C) **CHAIRPERSON.**—The Chairperson of the Board shall be the member of the Board appointed under subparagraph (B)(i).

(D) **NONGOVERNMENTAL MEMBERSHIP; PERIOD OF APPOINTMENT; VACANCIES.**—

(i) **NONGOVERNMENTAL MEMBERSHIP.**—Except in the case of the Chairperson of the Board, an individual appointed to the Board may not be an officer or employee of an instrumentality of government.

(ii) **PERIOD OF APPOINTMENT.**—Members shall be appointed for the life of the Board.

(iii) **VACANCIES.**—Any vacancy in the Board shall be filled in the same manner as the original appointment.

(5) **DEADLINE FOR APPOINTMENT.**—Not later than 60 days after the date on which the President first submits to Congress a national security strategy under section 108 of the National Security Act of 1947 (50 U.S.C. 3043) after the date of the enactment of this Act, the President shall—

(A) appoint the members of the Board pursuant to paragraph (4); and

(B) submit to Congress a list of the members so appointed.

(6) **EXPERTS AND CONSULTANTS.**—The Board is authorized to procure temporary and intermittent services under section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay under level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(7) **SECURITY CLEARANCES.**—The appropriate Federal departments or agencies shall cooperate with the Board in expeditiously providing to the Board members and experts and consultants appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person may be provided with access to classified information under this Act without the appropriate security clearances.

(8) **RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.**—Information shall only be received, handled, stored, and disseminated by members of the Board and any experts and consultants consistent with all applicable statutes, regulations, and Executive orders.

(9) **NONAPPLICABILITY OF CERTAIN REQUIREMENTS.**—The Federal Advisory Committee Act (5 U.S.C. App.) and section 552b of title 5, United States Code (commonly known as the "Government in the Sunshine Act"), shall not apply to the Board.

(10) **UNCOMPENSATED SERVICE.**—A member of the Board who is not an officer or employee of the Federal Government shall serve without compensation.

(11) **COOPERATION FROM GOVERNMENT.**—In carrying out its duties, the Board shall receive the full and timely cooperation of the heads of relevant Federal departments and agencies in providing the Board with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(12) **TERMINATION.**—The Board shall terminate on the date that is 60 days after the date on which the President submits the China Strategy to Congress under subsection (b)(2).

SA 4477. Mr. ROMNEY (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SENSE OF CONGRESS ON ALLIES AND PARTNERS ASSISTING EVACUATION FROM AFGHANISTAN.

It is the sense of Congress that—

(1) following the Afghan Taliban takeover of the Islamic Republic of Afghanistan, Albania, Bahrain, Georgia, Germany, Greece, Italy, Kosovo, Kuwait, North Macedonia, Norway, Mexico, Qatar, Rwanda, Saudi Arabia, Spain, Sudan, Uganda, Ukraine, the United Arab Emirates, the United Kingdom, and the Self-Declared Independent Republic of Somaliland responded to the United States' request for assistance in the effort to evacuate and support thousands of United States citizens, lawful permanent residents of the United States, vulnerable Afghans, and their families; and

(2) the United States values the vital contributions of these partners and allies to the evacuation effort and is grateful for their support of this critical humanitarian mission.

SA 4478. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XIV, add the following:

SEC. 1424. REPORT ON DOMESTIC PROCESSING OF RARE EARTHS.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate committees of Congress a report on domestic processing of rare earths to achieve supply chain independence for the United States Armed Forces and key allies and partners of the United States.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An estimate of the annual demand for processed rare earths for the United States Armed Forces and key allies and partners of the United States.

(2) An outline of the necessary processed rare earths value chain required to support the needs of the Department of Defense.

(3) An assessment of gaps in the outline described in paragraph (2) indicating where sufficient domestic capacity already exists and where such capacity does not exist.

(4) An identification of any Federal funds, including any funds made available under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.), currently being deployed to support creation of domestic capacity to address those gaps.

(5) An estimate of the additional capital investment required to build and operate capacity to address those gaps.

(6) An estimate of the annual funding necessary for the Department of Defense to procure domestically processed rare earths sufficient to meet its annual needs, including consideration of increased investments from private sector capital.

(7) An estimate of the cost difference between the Department of Defense sourcing rare earths processed in the United States and sourcing rare earths on the open market.

(8) An identification of how the Department of Defense would direct its weapon suppliers to use the domestically processed rare earths.

(9) An assessment of what changes, if any, to authorities under title III of the Defense Production Act of 1950 are necessary to enter into a long-term offtake agreement to contract for domestically processed rare earths.

(10) An assessment of the length of potential contracts necessary for preventing the collapse of domestic processing of rare earths in the case of price fluctuations from increases in the People's Republic of China's export quota.

(11) Recommendations for international cooperation with allies and partners to jointly reduce dependence on rare earths processed in or by the People's Republic of China.

(c) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in classified form but shall include an unclassified summary.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Energy and Natural Resources, the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Natural Resources, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Financial Services of the House of Representatives.

SA 4479. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. DEFENSE TRADE DIALOGUE TO PRIORITIZE AND EXPEDITE TRANSFER OF DEFENSIVE ASYMMETRIC CAPABILITIES TO TAIWAN.

The Secretary of State shall—

(1) not later than 60 days after the date on which the report required under section 1245(c) is submitted, initiate a defense trade dialogue with Taiwan with the goal of prioritizing and expediting the transfer of defensive asymmetric capabilities to Taiwan; and

(2) not later than 90 days after the date on which such dialogue is initiated, and every 90 days thereafter, provide the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with a briefing on the status of such dialogue.

SA 4480. Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart-

ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1245 and insert the following:

SEC. 1245. ASSESSMENT OF AND PLAN FOR IMPROVING THE DEFENSIVE ASYMMETRIC CAPABILITIES OF TAIWAN.

(a) **ASSESSMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall conduct an assessment of the defensive asymmetric capabilities of Taiwan.

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall include the following:

(A) An assessment of the current defensive asymmetric capabilities of Taiwan and the ability of Taiwan to defend itself from external conventional military threats, which shall include—

(i) a description and assessment of the current defensive asymmetric capabilities of Taiwan; and

(ii) a description of the defensive asymmetric capabilities necessary for Taiwan to successfully alter scenarios and likely outcomes with respect to a possible use of force by the People's Republic of China against Taiwan, including the estimated cost of such capabilities.

(B) An assessment of each of the following:

(i) The applicability of Department of Defense authorities for improving the defensive asymmetric capabilities of Taiwan in accordance with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.).

(ii) The options available to the Department to support the defense budgeting and procurement process of Taiwan in a manner that facilitates sustained investment in capabilities aligned with the asymmetric defense strategy of Taiwan.

(iii) The feasibility and advisability, including the estimated costs, of additional policy options to support the enhancement of the defensive asymmetric capabilities of Taiwan, including—

(I) assisting Taiwan in the domestic production of defensive asymmetric capabilities, including through the transfer of intellectual property, co-development, or co-production arrangements; and

(II) establishing a permanent fund to support regular investment by Taiwan in defensive asymmetric capabilities.

(iv) The plans, tactics, techniques, and procedures underpinning the defensive asymmetric capabilities of Taiwan.

(v) The interoperability of current and future defensive asymmetric capabilities of Taiwan with the military capabilities of the United States and its allies and partners.

(vi) Any other matter the Secretary considers appropriate.

(b) **PLAN.**—The Secretary shall develop a plan for assisting Taiwan in improving its defensive asymmetric capabilities that includes—

(1) recommendations for new Department authorities, or modifications to existing Department authorities, necessary to improve the defensive asymmetric capabilities of Taiwan in accordance with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.);

(2) an identification of opportunities—

(A) for key leader and subject matter expert engagement between Department personnel and military and civilian counterparts in Taiwan; and

(B) to provide necessary support for the successful deployment of defensive asymmetric capabilities by Taiwan, including through appropriate training; and

(3) an identification of challenges and opportunities for leveraging non-Department

authorities, resources, and capabilities to improve the defensive asymmetric capabilities of Taiwan in accordance with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.).

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress—

(1) a report on the results of the assessment required by subsection (a); and

(2) the plan required by subsection (b).

(d) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **DEFENSIVE ASYMMETRIC CAPABILITIES.**—The term “defensive asymmetric capabilities” means the capabilities necessary to defend Taiwan against conventional external threats, including coastal defense missiles, naval mines, anti-aircraft capabilities, cyber defenses, and special operations forces.

SA 4481. Mr. ROMNEY (for himself and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. ENHANCING DEFENSIVE ASYMMETRIC CAPABILITIES OF TAIWAN.

(a) **FINDINGS.**—Congress finds the following:

(1) President Xi of the People's Republic of China has—

(A) declared that reunification of the People's Republic of China and Taiwan must occur; and

(B) not excluded using force as a means to accomplish such reunification.

(2) The People's Republic of China is taking aggressive actions toward Taiwan through frequent air incursions, including by sending 149 airplanes from the People's Republic of China into the air defense zone of Taiwan from October 1 through October 4, 2021.

(3) The defense policy of the United States towards Taiwan continues to be governed by the Taiwan Relations Act of 1979 (Public Law 96-8; 22 U.S.C. 3301 et seq.).

(b) **STATEMENT OF POLICY.**—It is the policy of the United States to support efforts by Taiwan to defend itself from aggression and the potential use of force by the People's Republic of China by enhancing its defensive asymmetric capabilities.

(c) **ASSESSMENT OF DEFENSIVE ASYMMETRIC CAPABILITIES OF TAIWAN.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, the Director of National Intelligence, and the head of any other Federal department or agency the Secretary of Defense considers appropriate, shall submit to the appropriate congressional committees a report on the defensive